

# Chester County Real Estate Rules and Regulations

## SECTION 1. Title

This Ordinance shall be known as the Chester County Parks and Recreation Department Rules and Regulations.

## SECTION 2. Definitions

Except where the context clearly indicates otherwise, the following terms as used in this Ordinance shall have the following meanings:

- A. The term "Park System" shall mean any lands or facilities owned or leased by the County of Chester and designated or used by the County of Chester, Department of Parks and Recreation for park purposes.
- B. The term "Park Employee" shall designate all employees of the County of Chester, Parks and Recreation Department.
- C. The term "Department" shall mean the County of Chester, Parks and Recreation Department
- D. The term "Real Estate" shall mean any lands or facilities owned or leased by the County of Chester and shall include but not be limited to the real estate comprising the Park System.
- E. The titles Park Ranger, Director of Parks and Recreation, and Park Superintendent shall mean the official or designee(s).

## SECTION 3. Park Permits

- A. Application for a park permit or contract shall be made upon the official forms of the Department and shall be accompanied by the required reimbursement except where a free park permit may be issued.
- B. Application for a park permit or contract may be made at the Department Office, each county park office, other designated locations, or a request may be made by telephone. Any required reimbursement must be received by a Department Office a minimum of seven days in advance of the requested activity or as otherwise specified. Reimbursements are required from all commercial or for-profit organizations for use of permits.
- C. A Department contract is required for the consumption of alcoholic beverages at any Department public rental facility.
- D. In the event more requests for reservations are received than space is available, such requests shall be considered in the order received by the Department.
- E. No person under the age of eighteen (18) years shall be issued a permit to use a park facility.
- F. The holder of a special facility use or group permit issued by the Department shall be held responsible for the actions and conduct of the other persons in his or her party.
- G. All visitors to the parks must comply with all rules of the Department while within the park system.
- H. No person shall install equipment or make any alterations or adjustments to existing equipment or facilities within the park system without the specific written approval of the Department.

## SECTION 4. Hours

No person shall be permitted within the park system between sunset of any day and 8 a.m. of the following day except upon the issuance of a permit by the Department pursuant to the procedure set forth in SECTION 3, hereof within the park system, or except where allowed by special park regulations.

## SECTION 5. Destruction of buildings, markers, monuments and other properties

No person shall, on County real estate:

- A. Destroy, deface, alter, change or remove any monument, stone marker, benchmark, stake, post or blazed trail marking, or designation of any boundary line or survey line.
- B. Cut, break, mark upon or otherwise damage any building equipment, bridge, drain, wall foundation, lamppost, fence, gate, hedge, or other structure or installation.
- C. Deface, destroy, or remove any placard, notice, or sign, whether permanent or temporary, posted, or exhibited within the park system, or on any County owned real estate.

## **SECTION 6. Destruction of plant life, natural and cultural surroundings**

No person shall, on County real estate:

- A. Cut, remove or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove, or destroy any flower, fruit, plant or grass except with a permit issued by the Department.
- B. Remove or cause to be removed, any natural or man-made materials, artifacts, or archeological or historical items, or to dig any sod, earth, humus, peat, boulder, rock, gravel or sand, except with a permit issued by the Department.
- C. Use a metal detector, except with a permit issued by the Department.

## **SECTION 7. Fires**

No person shall, on County real estate:

- A. Set or cause to be set on fire any tree, woodland, brush-land, grassland, or meadow.
- B. Build any fire except within the fireplaces, grills, receptacles, or open spaces approved and designated by the Department for such purpose.
- C. Drop, dump, throw, or otherwise scatter lighted matches, ashes, burning cigars, cigarettes, tobacco paper, or other flammable material.
- D. Leave fires unattended at any time or not fully extinguish fires before abandoning them.

## **SECTION 8. Animals, birds and reptiles**

No person shall, on County real estate:

- A. Pursue, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptile or disturb any nest, lair, den burrow, or the like of any animal; except such limited areas which the Department may from time to time designate as authorized hunting and fishing areas in accordance with the Fish and Game laws of the Commonwealth of Pennsylvania.
- B. Hunt, fish or trap except in accordance with the laws of the Commonwealth of Pennsylvania and as authorized by the Department.
- C. Permit dogs, or other pets to pursue, catch, wound, or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other animal or bird, except as allowed under hunting laws of the Commonwealth of Pennsylvania in areas which may be designated by the Department.
- D. Drive or pursue any wild bird or animal from the confines of the park, or within the park system, except under legal hunting procedures where allowed by the Department in designated hunting areas.

## **SECTION 9. Hunting and Trapping**

The Department may set aside areas open to the public for the purpose of regulated hunting and trapping. Such areas will be regulated by the State and Federal laws concerning them, and violation of these regulations will be a direct violation of this section.

No person shall, on County real estate:

- A. Trap, hunt or allow dogs or other pets to hunt any wild bird or wild animal except as allowed under special regulated conditions established by the Department.
- B. Hunt or pursue any wild bird or wild animal within the park that had been wounded or injured outside the park and had taken refuge within the park, without being accompanied by park system personnel.

## **SECTION 10. Filed trial areas on county owned real estate**

The Department may set aside areas on a permit basis to be used as field trial areas. Such areas will be open in compliance with Pennsylvania Game Laws.

No person shall:

- A. Bring any dog or other pet into any field trial during events.
- B. Bring any dog or other pet into any field trial area unless said dog or pet has a current year's license and vaccinations.
- C. Allow any dog or other pet to be other than in complete control.

- D. Possess any firearm or ammunition in the field trial area except for designated gunners for trial purposes.

### **SECTION 11. Fishing**

Fishing within the park system shall be permitted only in such areas and at such times as are designated by the Department. In all cases, the Pennsylvania fishing laws shall be applicable to all park system waterways. The failure to comply with such Pennsylvania Fish and Boat commission fishing laws shall be in direct violation of this section.

No person shall:

- A. Fish in any wildlife sanctuary or outdoor education area or any place where "No Fishing" signs have been posted by the Department.
- B. Fish without being the holder or a current resident or nonresident fishing license as may be required by applicable Pennsylvania Fish and Boat Commission laws, within the park system.
- C. Ice fish on any lake or pond within the park system.

### **SECTION 12. Contraband**

All game, animals, fowl, birds, fish and other aquatic animals; live, hunted, killed, taken or destroyed, bought, sold, bartered or possessed contrary to any of the provisions of SECTION 9 through 13 of this ordinance shall be declared to be contraband, and the same shall be subject to seizure and confiscation and shall be turned over to the Department for disposal.

### **SECTION 13. Swimming, bathing and wading on county real estate**

No person shall:

- A. Swim (including tubing), bathe or wade in any of the water courses, lakes, ponds or sloughs unless by permit except for wading in streams, creeks, ponds, and rivers while legally fishing.

### **SECTION 14. Boating and other watercraft**

No person shall:

- A. Use or navigate any boat, yacht, canoe, raft or other watercraft upon any watercourse, lagoon, lake, pond or slough except at such time or places as may be provided or designated for such purposes.
- B. Operate a watercraft unless it complies with the Fish and Boat Code Act 1980-175, 30Pa. C.S., and the regulations promulgated by the Pennsylvania Fish and Boat Commission
- C. Use air mattresses, inner tubes and inflatable devices except in designated swimming areas. These may not be used elsewhere. Tubing is allowed only within designated swimming areas on County property.
- D. Use a boat or other watercraft in any park area unless registered with the Department and supplied with approved, and the required number of, personal floatation devices and said craft must be used only in a safe, orderly manner so as not to endanger any person or property.
- E. Operate watercraft propelled by internal combustion engines on any County owned or leased waters without written Department permission, within the park system.
- F. Launch and retrieve watercraft and tubers on County property for commercial or for-profit organizations without payment of a reimbursement and an approved Special Activities Agreement from the Department.

### **SECTION 15. Overnight camping on county real estate**

Campgrounds are provided for vacation/recreation purposes only. Overnight campsite occupancy is required during the entire period designated on the permit. The maximum number of individuals permitted per site is six.

No person shall,

- A. Camp except in such areas as may be provided and designated for such purposes by the Department. No person or group shall camp without a permit issued by the Department
- B. Have more than two cars, two tents, or one camper trailer to occupy an individual campsite unless otherwise specified. Each car must be registered on the camp permit.
- C. Cause, create, or make any noise or disturbance which is a hindrance to the peace, quiet and tranquility of the camping area.

- D. Wash dishes at pumps or drinking fountains, fail to clean up camp sited daily or to discharge waste waters or any other wastes, except into designated containers or dumping stations.
- E. Dig a trench or make any excavation on any campsite.
- F. Occupy a camp site after check out time on the last day covered by the permit
- G. Occupy a campsite contrary to assignment as may be made by the Department's authorized representative.
- H. Camp with a self-contained house trailer, camper trailer or camper bus except in camp sited provided for that purpose and it must not exceed the designated length.
- I. Enter upon the camp site of another or be within twenty (20) feet of any tent, shelter or cabin of another, whether occupied or not, without first obtaining an invitation or permission to do so by the person to whom the camp site or structure has been issued a permit within the park system.
- J. Camp except on weekends during designated camping seasons specific with each park.
- K. Group camp during the off season, except when in possession of a camping permit.
- L. Consider sleeping in personal vehicles as camping.

## **SECTION 16. Continuous cruising in and near campgrounds or picnic areas**

No person shall continuously cruise in any motor driven vehicle in, through and around camp areas or picnic areas within the park system. Cruising is defined as one vehicle with or without the same occupants, proceeding through the same area more than three times per hour for no legitimate reason.

## **SECTION 17. Operation and parking of motor driven vehicles on county real estate.**

No person shall:

- A. Park outside of designated parking areas
- B. Operate a vehicle and stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials.
- C. Operate a vehicle and stop, stand or park such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon.
- D. Drive upon or park upon any lawn unless specifically authorized to do so by the Department.
- E. Operate and stop, stand or park a vehicle in such a manner as to block any fire lane, fire trail, camp site road, maintenance road, boat ramp or bike/hike/horse trail.
- F. Operate a vehicle and park in any place where "No Parking" signs have been erected.
- G. Park a vehicle on County property for purposes other than use of the specific facility or County services, or on County business.
- H. Operate and park a vehicle in such a manner as to block the exit or removal of another vehicle.
- I. Operate and park a vehicle in such a manner as to take up more than one designated parking spot.
- J. Operate a motor vehicle in excess of fifteen (15) miles per hour in any park unless a higher rate or speed has been posted.
- K. Operate a vehicle in any park, or place other than roadways open to and regularly traveled by the general public except for vehicles authorized by the Department for purpose of maintenance, improvement, or patrol, or in an area set aside as a special use area.
- L. Operate any vehicle upon any property or roadway carelessly disregarding the rights and safety of others or in a manner so as to endanger any person or property.
- M. Operate any type of mini-bike, trail bike, all terrain vehicle, snowmobile, or other vehicle that is not or cannot be registered for operation on the public highways except in areas designated and designed for their purpose, and then only with the Department approval and appropriate permit.
- N. Fail to yield the right-of-way to any person riding a horse, hiking or biking on marked trails where such trails cross streets or roadways.
- O. Fail to yield at a yield sign.
- P. Wash or make mechanical repairs on vehicles, except in an emergency.
- Q. Use park roadways as thoroughfares: permits are required for commercial and farm equipment.

In conjunction with and in addition to SECTION 17, Subsection A through Q of this ordinance, the motor vehicle code of the Commonwealth of Pennsylvania shall apply to all Chester County owned or leased real estate, to be enforced by local and State Police at the request of and independent of Chester County Parks and Recreation.

## **SECTION 18. Equestrian use**

No person shall:

- A. Ride or lead a horse or pony upon any property administered by or under the jurisdiction of the Department except on specifically designated and posted areas or bridle trails.
- B. Ride a horse in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or persons within the park system.

## **SECTION 19. Operation of bicycles on county real estate**

No person shall:

- A. Operate a bicycle unless as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit.
- B. Operate any bicycle while upon any path, trail or roadway to carry any person upon the handlebar or frame of the bicycle, except in the case where a bicycle is equipped to carry more than one person.
- C. Operate a bicycle upon such paths, trails or roadways that are posted by the Department before sunrise and after sunset unless otherwise permitted.
- D. Leave or park any bicycle upon any road or parking lot that is open to the public on which motor vehicles may be driven.
- E. Leave or park bicycles in walkways or active play areas, unless using appropriate racks when available.
- F. Ride or operate a bicycle, or mountain bicycle on grass, hillsides, steep slopes, in play areas, in picnic areas, on ball fields, or in congested areas.
- G. Operate a bicycle upon any path or trail which is designed or designated for pedestrian use only.

## **SECTION 20. Trespass on county real estate**

No person shall:

- A. Drive or cause to be driven any horse, cattle, sheep, goats, swine or other livestock upon or across any property administered by or under the jurisdiction of the Department without a permit.
- B. Enter upon any grounds that have been posted by the Department with "No Trespassing" or "Special" Wildlife" signs, or any sign that would indicate that the area is not open to the general public without first obtaining a permit issued by the Department.
- C. Enter any building that is not open to and regularly used by the public.
- D. Enter upon or disturb any construction or equipment on County property except for authorized County personnel.

## **SECTION 21. Peddling and soliciting on county real estate**

No person shall peddle or solicit business of any nature whatever or collect any funds for any service or charity, or distribute handbills or other advertising matter, post unauthorized signs on any lands, waters, structures or property administered by or under the control of the Department or use such lands, waters, structures or property unless first obtaining a permit from the Department. The use of County property or facilities by a commercial or for-profit organization requires reimbursement and a permit from the Department.

## **SECTION 22. Unlawful obstruction**

No person shall force, threaten, intimidate, fence, enclose or by any other means, prevent or obstruct any person from entering, leaving or making full use of the park system unless under the jurisdiction of the Department consistent with the terms of this ordinance and other applicable statutes, rules and regulations, and then only by persons authorized to do so by the Department within the park system.

## **SECTION 23. Hindering employees and law enforcement officers on county real estate**

No person shall interfere with, use profanity towards, or in any manner hinder any employees or agents of the County, or law enforcement officers who are performing their official duties.

## **SECTION 24. Resisting park employees or law enforcement officers**

No person shall interfere with or use profanity toward any park employee or law enforcement officer in the performance of his duties; or fail or refuse to obey any lawful command or refuse to assist any park employee during an emergency in the performance of his or her duties within the park system.

## **SECTION 25. Impersonation of a park employee or law enforcement officer**

No person shall impersonate any park employee or law enforcement officer for any reason whatsoever with the park system.

## **SECTION 26. Drugs and controlled substances on county real estate**

No person shall possess or be under the influence of any illegal drug or controlled substance while in or upon any property administered by or under the jurisdiction of the Department. Any illegal drugs or narcotics in the possession of anyone shall be confiscated by the park employee or law enforcement officer.

## **SECTION 27. Alcoholic beverages**

No person shall possess, without a special permit, or be under the influence of any alcoholic beverage while in or upon any property administered by or under the jurisdiction of the Department. Any alcoholic beverage in any person's possession shall be confiscated by the Park Ranger. Alcohol may only be served at a County public rental facility as agreed upon through the use of a contract with that facility.

## **SECTION 28. Personal conduct on county real estate**

No person shall:

- A. Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or to disturb or annoy others, while in or on any property administered by or under the jurisdiction of the Department.
- B. Commit any indecent or immoral act tending to debauch the morals or manners of the public while in or on any property administered by or under the jurisdiction of the Department.
- C. Drive, chip or putt golf balls while in or on any property administered by or under the jurisdiction of the Department.

## **SECTION 29. Use of loudspeaker, radio, CD player, tape recorder or television**

No person shall:

- A. Use a loudspeaker, public address system, amplified musical instruments, or amplifier within or upon Department property without a permit issued by the Department.
- B. Play or cause to play any musical instrument, radio, CD player, tape recorder, television, etc., in a loud or boisterous manner which tends to disturb or annoy any visitor.

## **SECTION 30. Fireworks on county real estate**

No person shall fire, discharge, or have in his or her possession any rocket, firecracker or other fireworks or any substance of an explosive nature unless the Department issues a permit.

## **SECTION 31. Firearms, hatchets and knives, etc. on county real estate**

No person shall:

- A. Bring into or upon County real estate, nor have in his or her possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air rifle, air gun, water gun, or any gun, rifle, firearm, or bow or other weapon that discharges projectiles either by air, explosive substance or by any other force. Except that this section shall not apply to any deputy sheriff, police officer, peace officer, park employee or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his or her position nor to any person while on or in those areas which may from time to time be designated as hunting areas by the Department or while upon designated target ranges or areas.
- B. Possess any type of knife, hatchet or ax unless engaged in camping for an appropriate use.
- C. Possess any of the above items in this section; otherwise the park employee or law enforcement officer shall confiscate any article or weapon in the possession of any person which is in violation of this section.

## **SECTION 32. Hot air balloons, aircraft and parachutists on county real estate**

No person shall make any ascent in any balloon or aircraft, or any descent in or from any balloon, aircraft or parachute unless authorized by the Department within the park system.

### **SECTION 33. Littering, dumping and pollution of waters on county real estate**

No person shall:

- A. Discard, deposit, dump litter or allow to blow away any refuse of any kind or nature except by placing said refuse in containers provided for such purposes.
- B. Bring or dispose of any type of trash, refuse or debris in any park whether disposing of it in receptacles or not, if such refuse did not result from park usage within the park system.
- C. In areas where recycling receptacles are provided, fail to place refuse as indicated on container.

### **SECTION 34. Skating and coasting on county real estate**

No person shall:

- A. Use roller skates, in-line skates or a skateboard except at such times and upon such places as may be designated or maintained for that purpose
- B. Skate, walk or go upon any ice formed on lake or ponds.
- C. Coast with hand sleds, bobsleds, carts or other vehicles, on wheels or runners, except as such times and places as may be designated or maintained for that purpose within the park system.

### **SECTION 35. Animals and birds on county real estate**

No person shall:

- A. Cause any animal or fowl to run at large, except in designated areas.
- B. Bring, drive or lead any animal onto County real estate to be ridden by persons in charge thereof or driven before a vehicle attached thereto, except horses, in areas as may be designated for riding or driving by the Department by permit.
- C. Bring, drive, lead or carry any dog, animal or pet which is unleashed or on a leash more than six (6) feet in length. All animals must be under the immediate control of a competent person. Absolutely no pets are allowed in picnic areas or the children's play areas. Pet owners must remove all feces deposited by their pets on County property.
- D. Permit any dog or pet to enter any public building or to be upon any designated swimming area except for a trained seeing eye dog, or a similar dog aiding a disabled individual.
- E. Permit any horse or other animal to stand unattended.
- F. Torture, ill-treat or neglect any animal or fowl
- G. Bring any pet or animal into any park area unless said pet or animal has been properly inoculated and has a current year's license, if so required.
- H. Allow any pet or animal to enter into any water area except in those areas designated as dog training areas where retriever dogs may enter the water for training purposes and in designated hunting areas.
- I. Allow any pet or animal to run at large which is deemed, after due consideration by the park employee or law enforcement officer, a threat to the public health, safety and welfare; therefore, it shall be the responsibility of every park employee or law enforcement officer to kill the animal if other means are not available or prove unsuccessful.

### **SECTION 36. Reimbursements and permits**

- A. The Department shall have the authority to issue a reimbursement schedule for permits, set the amount of deposits, and prescribe conditions. Such revenue shall be used for recreation, park and conservation purposes.
- B. No person shall use any facility, land or area for which a reimbursement has been established by the Department without payment of such reimbursement.

### **SECTION 37. Emergency powers**

Nothing in these rules shall:

- A. Prohibit or hinder duly authorized agents of the Department of any police officers from performing their official duties.
- B. Prohibit the Department from establishing rules and regulations required to protect the health, welfare and safety of park visitors and County owned or leased real estate.

### **SECTION 38. Towing vehicles**

The Director or Superintendent shall be responsible for the removal of illegally parked vehicles from County owned real estate.

### **SECTION 39. Enforcement**

In addition to law enforcement agencies (e.g., local, municipal or state police) or County Park Rangers, it shall be the responsibility of the Director of Parks and Recreation to enforce this ordinance and the rules and regulations which are developed as a result of this ordinance.

### **SECTION 40. Penalties and arrests**

Any person who violates any provision of this Ordinance shall, for every such offense, upon conviction thereof, in a summary proceeding before a District Magistrate, be sentenced to pay a fine of not less than five (5) dollars nor more than three hundred (300) dollars and or to undergo imprisonment for a term of not more than thirty (30) days. Where such violator has removed, destroyed, damaged, defaced or de-fouled the recreation, park or other County owned or leased real estate or the contents thereof, the cost of maintenance, repair or replacement shall be charged to such person or group in addition to any fine. Further use of recreation, park and reservation facilities may be denied to violators of this Ordinance in addition to the imposition of fines. All prosecutions shall be brought in the name of the County of Chester and are for the maintenance of County Parks.

### **SECTION 41. Severability**

The provisions of this ordinance are severable; and if any part hereof shall be held to be unconstitutional or otherwise invalid by any court, such decision shall not affect or impair any of the remaining provisions of the Ordinance. It is declared to be the intent of the Chester County Commissioners that this Ordinance would have been adopted even if such invalid provision had not been included therein.

### **SECTION 42. Ordinance repeal**

All Ordinance and resolutions or parts of Ordinances and resolutions insofar as they are inconsistent herewith are hereby repealed.

These rules and regulations are made pursuant to the provisions of the Chester County Code (16 P.S. Sec. 2325, et. Seq.) which authorize the policing, administration and public order of County grounds and buildings and Sections 509 of the County Code (16 P.S. Sec. 509) which permits the County Commissioners to adopt resolutions and ordinances "prescribing the manner in which the powers of the County shall be carried out and generally regulating the affairs of the County". Violation of any such rule shall subject the offender to those penalties as set forth in said ordinance at Section 40, "Penalties and arrests."